

**SUPREME COURT MINUTES
FRIDAY, JUNE 9, 2000
SAN FRANCISCO, CALIFORNIA**

1st Dist. People, Respondent

A088616 v.

Div. 4 Marvell Sweet, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including July 27, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

2nd Dist. People, Plaintiff and Respondent

B130561 v.

Robert Trujillo, Defendant and Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including July 14, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A075253/S064917 People v. David Winston Gainey – July 7, 2000.

A081999/S075553 People v. Kevin Lee Robinson – July 10, 2000.

B109409/S087446 People v. Randy Alan Valentine – July 9, 2000.

B125212/S087549 John George et al. v. County of San Luis Obispo et al. –
July 10, 2000.

B125934/S087380 Raul Lopez et al. v. Konstantino Vovos – July 9, 2000.

B128189/S0875350 People v. Xanar Navarette – July 9, 2000.

B130673/S087447 People v. Carl Roy Duncan – July 7, 2000.

B130992/S087477 People v. Kirk S. Scott – July 11, 2000.

B140101/S087442 Lorna Wren Brittan v. Los Angeles County Superior Court;
Thomas McCullough Jr., RPI – July 7, 2000.

C026553/S087471 People v. Steven Wayne Lewis – July 10, 2000.

C027404/S087413 People v. Harvey Mack Leonard – July 7, 2000.

C031330/S087466 Friends of the Trails et al. v. Jon E. Blasius et al.; Nevada
Irrigation District, RPI – July 7, 2000.

C032405/S087412 People v. Andrew John Scott – July 7, 2000.

E022591/S087458 People v. John R. Bellette – July 10, 2000.

E023969/S087489 People v. Dennis Mitchell Davis – July 11, 2000.

E025276/S087426 People v. Ricky Mendoza – July 7, 2000.

G024202/S087478 People v. Nora Deborah Moss – July 11, 2000.

F029001/S087539 People v. Edwin Vincent Munis – July 7, 2000.

F029086/S087486 People v. Jennie Dean – July 11, 2000.

F031815/S087414 People v. Sydney Johnson – July 7, 2000.

H021234/S087510 In re Donald Bone on Habeas Corpus – July 12, 2000.

S016883 People, Respondent

v.

Jarvis Masters, Appellant

On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's opening brief is
extended to and including July 31, 2000.

S022153 In re James Edward Hardy
 on
 Habeas Corpus

The order filed in the above matter on June 6, 2000, is amended to read as follows:

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to respondent's brief on the merits and exceptions to the referee's report is extended to and including August 1, 2000.

S030956 People, Respondent
 v.
 William James Ramos, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 12, 2000.

No further extensions of time are contemplated.

S069718 In re Melvin Turner
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to the informal response to the petition for writ of habeas corpus is extended to and including July 18, 2000.

S085907 In re Albert Burkley
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including June 27, 2000.

S086738 Theresa Aguilar et al., Appellants
 v.
 Atlantic Richfield Corporation et al., Appellants

On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' opening brief on the merits is extended to and including July 17, 2000.

S037006 People, Respondent

v.

Michael James Huggins, Appellant

Appellant's "Motion to Compel Superior Court to Hold Record Settlement Proceedings and for Order Staying Certification of Record" is denied.

To the extent that it seeks an order compelling proceedings leading to a settled statement, the motion is denied as premature. It is presumed that the Alameda County Superior Court will conduct all necessary and appropriate proceedings leading to a "settled statement" "in place" of a "transcription of any part of the oral proceedings [that] cannot be obtained for any reason" (Cal. Rules of Court, rule 35(b)), with a view toward preparing a complete and accurate record on appeal. If the superior court does not act accordingly, appellant may apply to this court for an order compelling it to do so.

To the extent that it seeks an order staying the hearing scheduled for June 9, 2000, the motion is denied outright.

S087120 In re **Ian G. Lockhon** on Discipline

It is ordered that **Ian G. Lockhon, State Bar No. 170081**, be suspended from the practice of law for six months and until Respondent makes restitution to Deborah Carpenter (or the Client Security Fund, if appropriate) in the amount of \$750, plus 10% interest per annum accruing from January 2, 1998 and provides satisfactory proof thereof to the State Bar Probation Unit, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension of 90 days and until he makes restitution as specified above, as recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on February 17, 2000. If the period of actual suspension is two years or more, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15

Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001 and 2002.

*See Business & Professions Code, § 6126, subdivision (c).

S087179 In re **David Michael Salentine** on Discipline

It is ordered that **David Michael Salentine, State Bar No. 92312**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed January 25, 2000, as clarified by its order filed February 22, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S087181 In re **Tracey Eva Tully** on Discipline

It is ordered that **Tracey Eva Tully, State Bar No. 166781**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for one year on condition that she be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed March 1, 2000. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S087182 In re **Eugenio Peguero, Jr.** on Discipline

It is hereby ordered that **Eugenio Peguero, Jr.** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California

Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S088571 In the Matter of the Resignation of **Mark Alan Whitefield**
A Member of the State Bar of California

The voluntary resignation of **Mark Alan Whitefield** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

No. M.S.B. 2000-1 Star Bar Judges: Appointment of Applicant Evaluation
and Nomination Committee

Pursuant to rule 961(a)(1), California Rules of Court, the following appointments are made to the Supreme Court's Applicant Evaluation and Nomination Committee for the purpose of submitting nominations for State Bar Court judicial positions:

1. Hon. Rebecca A. Wiseman (Court of Appeal, Fourth Appellate District), who is designated as chair of the committee.
2. Hon. James Marchiano (Court of Appeal, First Appellate District, Division One.)
3. R. Scott Wylie, Esq.
4. Maria D. Villa, Esq.
5. Edward P. George, Jr., Esq.
6. Victoria J. DeGoff, Esq.
7. Janet M. Green